

DICKSTEINSHAPIROLLP

1633 Broadway | New York, NY 10019-6708
TEL (212) 277-6500 | FAX (212) 277-6501 | dicksteinshapiro.com
Writer's Direct Dial: (212) 277-6585
Writer's Direct Fax: (917) 591-7897
E-Mail Address: SkakelD@dicksteinshapiro.com

November 17, 2015

VIA ECF

The Honorable Alison J. Nathan
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, New York 10007

Re: *CF 135 Flat LLC, CF 135 West Member LLC, and The Chetrit Group, LLC v. Triadou SPV S.A. and City of Almaty, Case No. 15-CV-5345 (AJN)*

Dear Judge Nathan:

We represent defendant Triadou SPV S.A. ("Triadou") and submit this letter to respectfully request that the Court grant Triadou an extension of time and set the following briefing schedule for Triadou's to-be-filed Motion to Dismiss the Answer and Cross-Claims of defendant and cross-claim plaintiff City of Almaty ("Almaty") (ECF No. 49) (the "Answer and Cross-Claims"): Triadou requests that its moving papers be due on or before December 18, 2015, Almaty's opposition papers be due on or before January 22, 2016, and Triadou's reply papers be due on or before February 5, 2016. Counsel for Almaty has consented to this request.

Triadou seeks this extension in light of last Thursday's notice of the settlement among the Chetrit Plaintiffs, the proposed counterclaim defendants Joseph Chetrit and 227 East 19th Holder LLC, Almaty, and proposed intervenor BTA Bank (*see* ECF No. 69), and the resulting voluntary dismissal of Almaty's counterclaims against the Chetrit Plaintiffs and the proposed counterclaim defendants (ECF No. 70), which Your Honor so ordered yesterday (ECF No. 71). Triadou is assessing the impact of this settlement on its to-be-filed motion directed to Almaty's Cross-Claims as well as Triadou's pending Motion to Dismiss the Amended Interpleader Complaint (ECF No. 29). Further, in light of the upcoming holidays, the proposed briefing schedule will eliminate the need for the parties to seek further extensions (a condition of Almaty's consent).

Prior to this request, Triadou sought a stay of time to respond to Almaty's Answer, Counterclaims, and Cross-Claims on the grounds that the Court's ruling on Triadou's pending Motion to Dismiss the Amended Interpleader Complaint could moot its response to Almaty's Answer, Counterclaims, and Cross-Claims (ECF No. 56). Your Honor denied that request, but set a deadline of November 25, 2015 for Triadou to respond to Almaty's Answer, Counterclaims, and Cross-Claims (the same date as the Chetrit Plaintiffs were to respond to Almaty's Counterclaims) (ECF No. 62). No other extensions have been sought in connection with Triadou's response to Almaty's Answer, Counterclaims, and Cross-Claims.

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Accordingly, Triadou respectfully requests that the Court set the above-referenced briefing schedule.

Respectfully submitted,

s/Deborah A. Skakel

Deborah A. Skakel

DICKSTEIN SHAPIRO LLP

1633 Broadway

New York, NY 10019

cc: Randall W. Jackson, Attorney for City of Almaty
Matthew L. Schwartz, Attorney for City of Almaty
David C. Segal, Attorney for the Chetrit Plaintiffs
David Salhanick, Attorney for the Chetrit Plaintiffs